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July 6, 2011

Writer's Direct Access
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VIA ELECTRONIC MAIL

Scot Stone
Deputy Division Chief
Mobility Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 -12th Street, S.W.
Washington, DC 20554

Re: WTB Docket No. 10-61; Written *Ex Parte* Presentation of OCAS,
Inc.

Dear Mr. Stone:

This written *ex parte* presentation is being submitted on behalf of OCAS, Inc. ("OCAS"), pursuant to Sec. 1.1206 of the Commission's rules. OCAS prepared and filed the Petition for Rulemaking setting forth proposed rule amendments that provided the basis for the Further Notice of Proposed.¹ As the Commission is aware, OCAS is dedicated to developing, deploying and supporting the latest technology in air navigation obstacle warning systems, principally integrated lighting and audible warning solutions for antenna structures, utility transmission towers, wind turbine farms, utility transmission wires and other air navigation obstacles.

Most importantly, all of the parties submitting Comments in response to the Further Notice supported adoption of rule amendments to permit the regular licensing of Audio Visual Warning Systems ("AVWS"). In addition to the parties identified in ECFS as having filed Comments on the Further Notice, The Boeing Company,² PCIA, UTC as well as OCAS, the National EMS Pilots Association ("NEMSPA") and the Helicopter Association International ("HAI") submitted written Comments to the Secretary on or before May 31, 2011.

¹ FCC 11-25 (rel. March 4, 2011)

² Consistent with the Comments submitted by The Boeing Company, OCAS is not recommending or urging that the Part 87 frequencies allocated for flight test operations be available for assignment for AVWS.

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A copy of NEMSPA's and HAI's Comments are attached hereto for convenient reference. Each of these parties are deeply involved in and committed to air navigation safety. Each strongly endorses AVWS and urges the Commission to adopt proposed rule amendments to make AVWS technology generally and routinely available throughout the United States.

In light of the broad-based support for AVWS from the air safety community and associations representing the operators of air navigation hazards, the communications tower operators and major utilities, the Commission is urged to move quickly toward the adoption of proposed rule amendments to permit the routine licensing of AVWS in the United States.

Should the Commission have any questions concern this submission, the Commission is respectfully requested to contact the undersigned, preferably by telephone.

Respectfully submitted,

/s/ C. Douglas Jarrett

Counsel to OCAS, Inc.

Attachments

cc. Secretary, Federal Communications Commission (submitted electronically)

Attachment 1



1635 Prince Street, Alexandria, Virginia 22314-2818 Telephone: (703) 683-4646 Fax: (703) 683-4745

May 31, 2011

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

RE: WT Docket No 10-61, FCC 11-25, RM-11596 (In The Matter Of the Further Notice of Proposed Rule Rule Making for Establishment of Audio Visual Warning System as New Subpart T to Part 87 of the Commission's Rules and Regulations To Authorize Advanced Audio Visual Warning Systems for Antenna Structures and other Air Navigation Obstacles

Dear Ms. Dortch:

Please accept this letter, filed pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419 with reference to the Further Notice of Proposed Rule Making that appeared on Public Notice on March 30, 2011. The FNPRM seeks further comments on the establishment of a new Subpart T, Audio Visual Warning Systems ("AVWS") under Part 87 of the Commission's Rules to permit owners and operators of antenna structures and other air navigation obstacles to secure authority to operate advanced AVWS stations as an alternative to the "always-on" antenna structure lighting typically deployed at antenna structures and other air navigation hazards.

This letter is written on the behalf of the Helicopter Association International (HAI). HAI is a not-for-profit, professional trade association which represents the interests of the civil helicopter community. HAI has approximately 3,000 members, inclusive of 1,600 member companies in more than 74 nations. Our members fly over 5,500 helicopters approximately 2.5 million flight hours per year. Our primary focus is safety.

Within this focus on safety, obstacle collisions is one of our primary areas of concern. According to the Federal Aviation Administration, wire and obstruction strikes are the top operational cause for fatal rotorcraft accidents. Over the last decade there has been an average of one aviation obstruction strike every five days in the U.S. Nearly 30 percent of all collisions are fatal and that number nearly doubles when the aircraft is operating in or around instrument meteorological conditions or at night.

As stated in our previous letters of support, HAI continues to encourage the implementations of Audio Visual Warning Systems (AVWS) as a promising and cost-effective new technology that can significantly improve safety outcomes by warning low flying aircraft of obstacles in their flight path. The additional warning to pilots as offered by the AVWS VHF warning capabilities is an essential component

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making these types of systems critical in some high risk areas such as river crossings and canyons where wires are virtually invisible to pilots in some weather conditions. These audio warning aspects are the most powerful aspect of the AVWS solutions as it provides a warning to pilots that will draw their full attention to the obstacle, give a description of what to look for and will provide a warning in any type of visibility or weather conditions (unlike the currently FAA prescribed paint and orange marker balls). The fact that AVWS do not require any additional equipment (such as an expensive transponder) on the aircraft makes the solution available to almost all rotorcraft.

Reference the FCC's particular request for comment reference Paragraph 15 *Eligibility* that states:

15. *Eligibility.* OCAS proposes to limit eligibility to owners or operators of antenna structures and other air navigation obstructions that are subject to Part 17 of the Commission's Rules, FAA rules and FAA advisory circulars.¹ We do not believe such restrictions are necessary, as AVWS may be a consideration for any structure deemed by the owner/operator to be a navigation hazard. Moreover, as noted above, use of the radar frequencies must be coordinated with the FAA. Therefore, we propose that AVWS station applicants simply meet the basic Part 87 eligibility requirements.² We request comment on this proposal.

We agree with the FCC' suggestion that AVWS systems should not be limited or restricted to only Part 17 of the Commission's Rules and could potentially provide a significant service in other areas and should be available within the limits of the Part 87 eligibility requirements.

HAI fully supports the approval of this Petition for Rulemaking that will allow for the routine use and licensing of AVWS frequencies as the HAI considers this advancement in technology a welcome means of increasing the safety in and around air obstructions with the primary goal of decreasing the number of accidents related to obstruction strikes.

Sincerely,



Matthew Zuccaro
President, HAI

¹ See Petition at Appendix at 1.

² See 47 C.F.R. § 87.19.

CERTIFICATE OF SERVICE

I certify that on May 31, 2011, a copy of the foregoing Statement in Support of the OCAS, Inc. Petition for Rulemaking was served via electronic mail on the following individuals:

Melissa McCarthy
General Manager
OCAS, Inc.
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Attachment 2



May 31, 2011

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: **Docket 10-61, RM-11596 In The Matter Of Establishment of Audio Visual Warning System as New Subpart T to Part 87 of the Commission's Rules and Regulations To Authorize Advanced Audio Visual Warning Systems for Antenna Structures and other Air Navigation Obstacles**

Dear Ms. Dortch:

Please accept this letter, filed pursuant to the abovementioned Further Notice of Proposed Rulemaking. The Petition seeks to establish a new Subpart T, Audio Visual Warning Systems ("AVWS") under Part 87 of the Commission's Rules to permit owners and operators of antenna structures and other air navigation obstacles to secure authority to operate advanced AVWS stations as an alternative to the "always-on" antenna structure lighting typically deployed at antenna structures and other air navigation hazards.

The mission of the National Emergency Medical Services Pilot's Association (NEMSPA) is to serve the pilots involved in the air-medical transport industry, and to work to improve the quality and safety of those services. Airborne EMS operations have seen a drastic increase in fatalities and it is our duty to our members to investigate all potential solutions to air accidents. We believe AVWS technology is an essential component in addressing the issue of wire and obstruction strikes.

AVWS systems assist low flying aircraft in the identification of air obstructions, in particular, wire crossings in rivers and valleys and tall towers. The system combines lighting as well as a VHF radio transmission to the aircraft which announces the proximity of the structure. We believe the audio component has the greatest positive impact on aviation safety in all flying conditions by providing the effective alerting of an aircraft/pilot that they are on a potentially life threatening course and to take action. The added benefit is that any aircraft with a VHF radio on board benefits from this technology with no addition equipment required.

In this letter we state our full support for the approval of this life saving technology by allowing for the immediate authorization and routine licensing of the Part 87 frequencies required for the radar and VHF components associated with the Obstacle Collision Avoidance System (OCAS) or FAA termed Audio Visual Warning Systems (AVWS).

Sincerely,